

House File 2350

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1 3 AN ACT
1 4 RELATING TO FAMILY INVESTMENT PROGRAM ELIGIBILITY REQUIREMENTS
1 5 INVOLVING MOTOR VEHICLE EQUITY, FAMILY INVESTMENT PLANS,
1 6 LIMITED BENEFIT PLANS, AND REQUIRED SCHOOL ATTENDANCE AND
1 7 INCLUDING AN APPLICABILITY PROVISION.
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1 9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 10
1 11 Section 1. Section 239B.7, subsection 8, Code 2003, is
1 12 amended to read as follows:
1 13 8. MOTOR VEHICLE DISREGARD. The department shall
1 14 disregard the first three thousand eight hundred eighty-nine
1 15 dollars in equity value of a one motor vehicle. Beginning
1 16 July 1, 1997, and continuing in succeeding fiscal years, the
1 17 motor vehicle equity value disregarded by the department shall
1 18 be increased by the latest increase in the consumer price
1 19 index for used vehicles during the previous state fiscal year.
1 20 This disregard shall be applicable to each adult and to each
1 21 working individual in a family who is nineteen years of age or
1 22 younger. The amount of a motor vehicle's equity in excess of
1 23 the amount of the motor vehicle disregard countable equity
1 24 value of any additional motor vehicle shall apply to the
1 25 resource limitation established in subsection 9.
1 26 Sec. 2. Section 239B.8, subsection 1, paragraph b, Code
1 27 2003, is amended to read as follows:
1 28 b. The individual is sixteen through eighteen years of
1 29 age, is not a parent, and is attending elementary or secondary
1 30 school, or the equivalent level of vocational or technical
1 31 school, on a full-time basis. If an individual loses exempt
1 32 status under this paragraph and the individual has signed a
1 33 family investment agreement, the individual shall remain
1 34 subject to the terms of the agreement until the terms are
1 35 completed.
2 1 Sec. 3. Section 239B.8, subsection 2, Code 2003, is
2 2 amended by adding the following new paragraph:
2 3 NEW PARAGRAPH. j. INCREMENTAL FAMILY INVESTMENT
2 4 AGREEMENTS. If an individual or family has an acknowledged
2 5 barrier, the individual's or family's plan for self=
2 6 sufficiency may be specified in one or more incremental family
2 7 investment agreements.
2 8 Sec. 4. Section 239B.9, subsection 2, paragraphs a and b,
2 9 Code 2003, are amended to read as follows:
2 10 a. PARENT. If the participant responsible for the family
2 11 investment agreement is a parent ~~or a specified relative~~, the
2 12 limited benefit plan is applicable to the entire participant
2 13 family. If the family reapplies for assistance after an
2 14 ineligibility period, eligibility shall be established in the
2 15 same manner as for any other new applicant.
2 16 b. NEEDY RELATIVE ~~PAYEE OR INCAPACITATED STEP PARENT~~. If
2 17 the participant choosing a limited benefit plan is a needy
2 18 relative who acts as payee when the parent is in the home but
2 19 is unable to act as payee, is a needy relative who assumes the
2 20 role of parent, or is a dependent child's step parent whose
2 21 needs are included in the assistance because of incapacity ~~or~~
2 22 ~~caregiving~~, the limited benefit plan shall apply only to the
2 23 individual participant choosing the plan.
2 24 Sec. 5. Section 299.6, unnumbered paragraph 7, Code 2003,
2 25 is amended by striking the unnumbered paragraph.
2 26 Sec. 6. Section 299.6A, subsection 1, Code 2003, is
2 27 amended to read as follows:
2 28 1. In lieu of a criminal proceeding under section 299.6, a
2 29 county attorney may bring a civil action against a parent,
2 30 guardian, or legal or actual custodian of a child who is of
2 31 compulsory attendance age, has not completed educational
2 32 requirements, and is truant, if the parent, guardian, or legal
2 33 or actual custodian has failed to cause the child to attend a
2 34 public school, an accredited nonpublic school, or competent
2 35 private instruction in the manner provided in this chapter.
3 1 If the court finds that the parent, guardian, or legal or
3 2 actual custodian has failed to cause the child to attend as
3 3 required in this section, the court shall assess a civil
3 4 penalty of not less than one hundred but not more than one
3 5 thousand dollars, for each violation established. ~~However, if~~

3 6 the court finds that the parent, guardian, or legal or actual
3 7 ~~custodian of the child has been subject to sanction under~~
3 8 ~~section 239B.2A as a result of the child's truancy, the court~~
3 9 ~~may waive the civil penalty under this section.~~

3 10 Sec. 7. Section 299.12, subsections 2 and 4, Code 2003,
3 11 are amended to read as follows:

3 12 2. This section is not applicable to a child who is
3 13 receiving competent private instruction in accordance with the
3 14 requirements of chapter 299A. If a child is not in compliance
3 15 with the attendance requirements established under section
3 16 299.1, and has not completed educational requirements through
3 17 the sixth grade, and the school has used every means available
3 18 to assure the child does attend, the school truancy officer
3 19 shall contact the child's parent, guardian, or legal or actual
3 20 custodian to participate in an attendance cooperation meeting.
3 21 The parties to the attendance cooperation meeting may include
3 22 the child and shall include the child's parent, guardian, or
3 23 legal or actual custodian and the school truancy officer. ~~If~~
3 24 ~~the child is a member of a family receiving assistance under~~
3 25 ~~the family investment program, the department of human~~
3 26 ~~services shall be notified and shall make the contacts for~~
3 27 ~~participation in the attendance cooperation meeting in lieu of~~
3 28 ~~the school truancy officer. For a child who is a member of a~~
3 29 ~~family receiving assistance under the family investment~~
3 30 ~~program, the attendance cooperation meeting shall include the~~
3 31 ~~child's parent or specified relative whose needs are included~~
3 32 ~~in the child's assistance grant and a representative of the~~
3 33 ~~department of human services. The school truancy officer or~~
3 34 ~~the representative of the department of human services~~
3 35 contacting the participants in the attendance cooperation
4 1 meeting may invite other school officials, a designee of the
4 2 juvenile court, the county attorney or the county attorney's
4 3 designee, or other persons deemed appropriate to participate
4 4 in the attendance cooperation meeting.

4 5 4. If the parties to an attendance cooperation meeting
4 6 determine that a monitor would improve compliance with the
4 7 attendance cooperation agreement, the parties may designate a
4 8 person to monitor the agreement. The monitor shall be a
4 9 designee of the public school board or governing body of the
4 10 accredited nonpublic school, ~~or a designee of the department~~
4 11 ~~of human services, if the department made the contacts for the~~
4 12 ~~attendance cooperation meeting.~~ The monitor may be a
4 13 volunteer if the volunteer is approved by all parties to the
4 14 agreement and receives a written authorization for access to
4 15 confidential information and for performing monitor activities
4 16 from the child's parent, guardian, or custodian. A monitor
4 17 shall contact parties to the attendance cooperation agreement
4 18 on a periodic basis as appropriate to monitor performance of
4 19 the agreement.

4 20 Sec. 8. Section 299.12, subsection 6, Code 2003, is
4 21 amended by striking the subsection.

4 22 Sec. 9. Section 299.13, Code 2003, is amended to read as
4 23 follows:

4 24 299.13 CIVIL ENFORCEMENT.

4 25 A person shall not disseminate or redisseminate information
4 26 shared with the person pursuant to section ~~239B.2A~~, 299.5A, or
4 27 299.12, unless specifically authorized to do so by section
4 28 217.30, ~~239B.2A~~, 299.5A, or 299.12. Unless a prohibited
4 29 dissemination or redissemination of information is subject to
4 30 injunction or sanction under other state or federal law, an
4 31 action for judicial enforcement may be brought in accordance
4 32 with this section. An aggrieved person, the attorney general,
4 33 or a county attorney may seek judicial enforcement of the
4 34 requirements of this section in an action brought against the
4 35 public school or accredited nonpublic school or any other
5 1 person who has been granted access to information pursuant to
5 2 section ~~239B.2A~~, 299.5A, or 299.12. Suits to enforce this
5 3 section shall be brought in the district court for the county
5 4 in which the information was disseminated or redisseminated.
5 5 Upon a finding by a preponderance of the evidence that a
5 6 person has violated this section, the court shall issue an
5 7 injunction punishable by civil contempt ordering the person in
5 8 violation of this section to comply with the requirements of,
5 9 and to refrain from any violations of section ~~239B.2A~~, 299.5A,
5 10 or 299.12 with respect to the dissemination or redissemination
5 11 of information shared with the person pursuant to section
5 12 ~~239B.2A~~, 299.5A, or 299.12.

5 13 Sec. 10. CODE EDITOR. In codifying the provisions of this
5 14 Act, the Code editor shall revise the section 299.12 headnote
5 15 to eliminate the reference to the family investment program.

5 16 Sec. 11. Section 239B.2A, Code Supplement 2003, is

